

**LISTING OF THE CLAIMS**

Claims 1-96 (cancelled)

97. (Previously presented) A crystalline form of nateglinide characterized by an XRPD pattern with peaks at 4.7, 7.4, 13.8 and 17.0 $\pm$ 0.2 theta, wherein the crystalline form is substantially free of a peak at 3.8 $\pm$ 0.2 theta.
98. (Previously presented) A crystalline form of nateglinide characterized by an XRPD pattern as substantially depicted in a figure selected from the group consisting of figure 65, figure 66, figure 67 and figure 68.
99. (Previously presented) A pharmaceutical formulation comprising the crystalline form of claim 97 or 98 and a pharmaceutically acceptable excipient.
100. (withdrawn) A method of lowering blood sugar level in a mammal comprising administering the pharmaceutical formulation of claim 99 to the mammal.
101. (Previously presented) A crystalline form of nateglinide characterized by an FTIR spectrum with peaks at 3350, 1701, 1646 and 1291  $\text{cm}^{-1}$ .
102. (Previously presented ) The crystalline form of claim 101, wherein the crystalline form has an FTIR spectrum as substantially depicted in Figure 31.